REPORT SUMMARY

THIS PROPOSAL HAS BEEN PLACED INTO THE EXPEDITED APPROVAL PROCESS YOUR ATTENDANCE IS NOT REQUIRED BEFORE THE LAND DIVISION COMMITTEE. PLEASE SIGN and RETURN THE 'AGREEMENT TO CONDITIONS' LETTER IMMEDIATELY

Date of Consideration: **September 10, 2015**

File Number: **B55/15**

Applicant: **Kenneth & Rosemary Martin**

Subject Lands: TOWNSHIP OF MAPLETON (Drayton) – Part Lots 18 & 19, Concession 11, Part Lot 383, Bolton's Survey

Proposal is a request for consent to convey fee simple for a proposed severance 170.49m fr x 86m = 1.46 hectares (3.6 acres) in the TOWNSHIP OF MAPLETON (Drayton) – Part Lots 18 & 19, Concession 11, Part Lot 383, Bolton's Survey, existing residential and agricultural for proposed residential use with existing house, barn and silos; retained lands are 32 hectares (79 acres).

ISSUES: none

SUMMARY of FILED REPORTS and COMMENTS:

Township of Mapleton – Council in support of application with conditions; staff had no issues; conditions to apply

County Planning - notice cards were posted at time of site visit; application is consistent with Provincial Policies and generally conforms to Official Plan provided Township agrees with re-interpretation of Urban Centre Boundary for this lot; a portion of the severed will need to be rezoned consistent with the balance of the FD Zone; conditions to apply

Conservation Authority (GRCA) – no objections

County Engineering – no objection – no conditions required

PROPOSED CONDITIONS of APPROVAL

1) THAT the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
2) THAT the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document including the Form 2 Certificate for Consent B55/15.
3) THAT the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review and issuance of the Certificate of Consent for the severed parcel.
4) THAT the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor **shall provide a full print of that deposited reference plan(s)** to the secretary-treasurer of the Planning and Land Division Committee.
5 THAT the Owner satisfy the requirements of the Local Municipality in reference to parkland dedication as provided for in the Planning Act, R.S.O. 1990; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
6) THAT the Owner satisfy all the requirements of the Township of Mapleton, financial and otherwise (included but not limited to Taxes paid in full; copy of Deposited Reference Plan;) which the Township of Mapleton may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Township of Mapleton file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
7) THAT the Owner receive zoning compliance and classification from the Township of Mapleton in a manner deemed acceptable by the Township of Mapleton to address consistent zoning of Future Development on the severed parcel; and that the Township of Mapleton file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

*****Conditions may be deleted, added to, or changed at meeting*****

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street, Guelph, ON N1H 3T9

August 27, 2015

NOTICE OF CONSIDERATION IN PUBLIC FORUM

Pursuant to SECTION 53 of the ONTARIO PLANNING ACT and applicable Regulations

with respect to Application for consent,

File B55/15

APPLICANT

Kenneth & Rosemary Martin
7288 Wellington Rd 11
Drayton ON N0G 1P0

LOCATION OF SUBJECT LANDS:

TOWNSHIP OF MAPLETON (Drayton)
Pt Lts 18 & 19, Conc 11, Maryborough
Part Lot 383, Bolton's Survey, Drayton

Proposed severance is 170.49m fr x 86m = 1.46 hectares (Parcel A on sketch) existing residential and agricultural for proposed residential use with existing house, barn, shed and silos.

Retained parcel is 32 hectares with 100.82m frontage (Parcel B on sketch) existing and proposed agricultural use.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, September 10, 2015**

for the purpose of considering this **EXPEDITED APPLICATION.**

CONSIDERATION WILL BE HELD IN THE: 3A (Keith Room)
County of Wellington Administration Centre
74 Woolwich Street
Guelph, Ontario N1H 3T9

NOTICE is being sent to you for your information. **THE OWNER, APPLICANT OR AUTHORIZED AGENT, OR AUTHORIZED SOLICITOR IS NOT REQUIRED TO ATTEND**. MAKE SURE THAT THE AGREEMENT LETTER IS SIGNED AND RETURNED TO THE PLANNING AND LAND DIVISION COMMITTEE OFFICE.

Please also be advised that if a person or public body that filed an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Ontario Municipal Board may dismiss the appeal.

A Copy of the **DECISION** of the Committee will be sent **to the applicant, and to each person or agency who filed with the Secretary-Treasurer a written request for Notice of Decision.**

Additional Information regarding the application is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office, 74 Woolwich St. Guelph ON N1H 3T9

Phone - (519) 837-2600 x2170 Fax – (519) 837-3875

To view comments for this application on our website www.wellington.ca follow these steps:

- ⇨ **Government**
- ⇨ **Council and Standing Committees**
- ⇨ **Land Division Committee**
- ⇨ **choose month & year in drop down menus**
- ⇨ **Choose Land Division Committee in the drop down menu**
- ⇨ **open appropriate agenda**

TO: **Owner – Kenneth & Rosemary Martin** **Applicant – Derrick Martin**

Mapleton TOWNSHIP
Rooted in tradition. Growing for the future.

July 19, 2015

Email Only

County of Wellington
Land Division Committee
74 Woolwich Street
Guelph, ON N1H 3T9

Dear Sir or Madam:

RE: CONSENT APPLICATION B55/15 – KEN & ROSEMARY MARTIN

Please be advised the following resolution was carried at the August 11, 2015 Council meeting:

THAT Report CL2015-31 dated August 11, 2015 in regards to Consent Application B55/15 (Martin), Concession 11, Part Lots 18 and 19 be hereby received;

AND FURTHER THAT THE Township of Mapleton Council supports the submitted application with the following conditions:

- ✓ Cash in lieu of parkland as per the Township's fees and charges by-law
- ✓ Satisfy all the requirements of the local municipality, financial and otherwise
- ✓ Taxes Paid in Full
- ✓ Zoning Compliance (rezoning as per planner's comments)
- ✓ Copy of deposited Reference Plan
- ✓ County Driveway entrance approval if required

Council also discussed the applicant is to provide a nutrient management plan for the existing livestock facility.

Also enclosed you will find

- ☑ Clerk's Report CL2015-31
- ☑ Municipal Commenting Form

Should you have any questions, please don't hesitate to contact this office.

Yours truly,

BSchellenberger

Barb Schellenberger
Deputy Clerk

Encl.

RECEIVED
AUG 20 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Township of Mapleton 7275 Sideroad 16, Box 160, Drayton, Ontario NOG 1PO
Phone: 519-638-3313 Fax: 519-638-5113 Toll Free: 1-800-385-7248
www.mapleton.ca

From: Patty Wright
Sent: Thursday, July 30, 2015 3:26 PM
To: Barb Schellenberger
Subject: B55/15

I have no issues with the above noted consent. The barn and accessory structures meet the FD zoning. However no new buildings or expansion of existing buildings will be permitted under the Future Development Zoning.

Patty Wright CBCO
Chief Building Official
Township of Mapleton, 7275 Sideroad 16
Box 160, Drayton, ON N0G 1P0
PHONE ... 1-519-638-3313 Ext. 36, FAX ...1-519-638-5113

MUNICIPALITY COMMENTING FORM
FILE NO: B55/15

APPLICANT

Kenneth & Rosemary Martin
7288 Wellington Rd 11
Drayton ON N0G 1P0

LOCATION

TOWNSHIP OF MAPLETON (Drayton)
Pt Lts 18 & 19, Conc 11, Maryborough
Part Lot 383, Bolton's Survey, Drayton

Proposed severance is 170.49m fr X 86m= 1.46 hectares (Parcel A on sketch) existing residential and agricultural for proposed residential use with existing house, barn, shed and silos.

Retained parcel is 32 hectares with 100.82m frontage (Parcel B on sketch) existing and proposed agricultural use.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER

23-32-000-007-13500-0000 – 77.08 acres

Does this description reasonably describe the parcel holdings? **YES**

Do you consider this proposal to conform to your Official Plan? What Section(s) does it conform to or contravene? **SEE PLANNER SARAH WILHELM COMMENTS DATED JULY 30, 2015**

Will the Severed Parcel comply with all requirements of the Zoning By-law? Will the Retained Parcel comply with all requirements of the Zoning By-law? **SEE PLANNER SARAH WILHELM COMMENTS DATED JULY 30, 2015**

If Necessary, would the Municipality be prepared to consider an Amendment to the Zoning By-Law to permit the proposal to conform? **YES** Minor Variance **N/A**

Is proposal on an opened maintained year-round public road? **YES**

Is the Proposed Lot(s) serviced now by Municipal Water **NO**

Is the Retained Lot serviced now by Municipal Water **NO**

Is the Proposed Lot(s) serviced now my Municipal Sewers **NO**

Is the Retained Lot serviced now by Municipal Sewers **NO**

Is there a **Capital Works Project** underway to service these lots in the near future **NO**

MUNICIPALITY COMMENTING FORM

FILE NO: B55/15

Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands? **NONE KNOWN**

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed or retained parcel for individual well and septic services? **YES**

Is there any further information that may assist the Land Division Committee? **NOT AT THIS TIME**

Is the Municipality in support of this application? **YES**

What Conditions, if any, are requested by the Municipality if the Consent is granted?

Conditions requested by resolution of Council are:

- ✓ Cash in lieu of parkland as per the Township's fees and charges by-law
- ✓ Satisfy all the requirements of the local municipality, financial and otherwise
- ✓ Taxes Paid in Full
- ✓ Zoning Compliance (rezoning as per planner's comments)
- ✓ Copy of deposited Reference Plan
- ✓ County Driveway entrance approval if required

Council also discussed the applicant is to provide a nutrient management plan for the existing livestock facility.

Does the Municipality request a Notice of the Decision? **YES**

SIGNATURE B Schellenberger
Barbara Schellenberger

TITLE: Deputy Clerk

ADDRESS: Township of Mapleton, 7275 Sideroad 16
Box 160, Drayton ON N0G 1P0

DATE: August 19, 2015

THE CORPORATION OF THE TOWNSHIP OF MAPLETON

CLERK'S REPORT CL2015-31

TO:	Mayor Driscoll and Members of Council
FROM:	Barb Schellenberger, Deputy Clerk
RE:	Consent Application B55/15 (Martin) Concession 11, Part Lots 18 and 19
DATE:	August 11, 2015

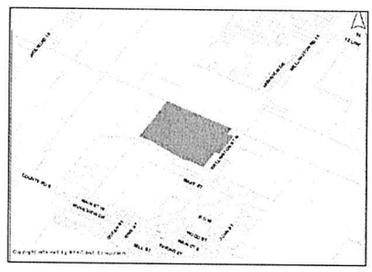
RECOMMENDATION:

THAT Report CL2015-31 dated August 11, 2015 in regards to Consent Application B55/15 (Martin), Concession 11, Part Lots 18 and 19 be hereby received;
AND FURTHER THAT THE Township of Mapleton Council supports the submitted application with the following conditions:

- ✓ Cash in lieu of parkland as per the Township's fees and charges by-law
- ✓ Satisfy all the requirements of the local municipality, financial and otherwise
- ✓ Taxes Paid in Full
- ✓ Zoning Compliance (rezoning as per planner's comments)
- ✓ Copy of deposited Reference Plan
- ✓ County Driveway entrance approval if required

BACKGROUND:

The subject lands are legally described as Concession 11, Part Lots 18 and 19, within the geographic area of Drayton Urban Centre and the Township of Maryborough, now in the Township of Mapleton. Property roll number where the severed lands are from is 2332-000-007-13500-0000. The parcels involved are shown below and are located at 138 Wellington Street North.



Proposed severance is 170.49m fr x 86m = 1.46 hectares (parcel A on sketch) existing residential and agricultural for proposed residential use with existing house, barn, shed and silos.

Retained parcel is 32 hectares (79 ac.) with 100.82m frontage (Parcel B on sketch), existing and proposed agricultural use.

Comments were received from Drainage Superintendent Jim Grose (no impact by any municipal drains), County of Wellington Engineering Services (no objection), CBO Patty Wright (no issues, attached to this report), Fire Chief Rick Richardson (no issues) and Director of Public Works Brad McRoberts (no comments).

Attached you will find the following:

- Senior Planner Sarah Wilhelm comments dated July 30, 2015
- Application B55/15
- CBO Patty Wright comments dated July 30, 2015.

Submitted by

BSchellenberger

Barb Schellenberger
Deputy Clerk

Reviewed by

Brad McRoberts
Acting CAO Clerk

Attach A - Planner comments
Attach B – Application B55/15
Attach C – CBO email comments dated July 30, 2015.

Planning and Development Department | County of Wellington
County Administration Centre | 74 Woolwich Street | Guelph ON N1H 3T9
T 519.837.2600 | F 519.823.1694

RECEIVED
JUL 30 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B55/15
Location	Part Lots 18 & 19, Concession 11, Maryborough Part Lot 383, Bolton's Survey, Drayton TOWNSHIP OF MAPLETON (Drayton)
Applicant/Owner	Kenneth & Rosemary Martin

PLANNING OPINION: This application would separate a 1.46 ha (3.6 ac) lot with a dwelling, barn, shed and silos in the Drayton urban area from a 32 ha (79 ac) retained agricultural parcel.

This application is consistent with the Provincial Policy Statement and would generally conform to the Official Plan, provided that the Township agrees with a re-interpretation of the Urban Centre boundary for this lot. We would have no other concerns, provided that servicing can be provided to the satisfaction of the Township and that as conditions of approval:

a) Safe driveway access can be provided to the satisfaction of the County Engineering Services Department; and
b) That the severed parcel is rezoned to the satisfaction of the Township.

PLACES TO GROW: No issues.

PROVINCIAL POLICY STATEMENT (PPS): Section 1.1.3.3 of the Provincial Policy Statement directs growth and development to occur within settlement areas. The proposed lot creation is located within the Drayton Urban Centre and is consistent with the PPS which encourages development in areas with existing servicing and infrastructure.

WELLINGTON COUNTY OFFICIAL PLAN: The majority of the severed lands are designated FUTURE DEVELOPMENT in the Drayton Urban Centre. The balance of the retained lands and a triangular shaped portion of the severed lands are designated PRIME AGRICULTURAL. As shown in Figure 1, the Drayton Urban Centre limit in the Official Plan runs at a slight angle ending at almost the northern corner of the proposed lot.

Figure 1 Approximate Official Plan and Zoning Boundaries

Planning and Development Department | County of Wellington
County Administration Centre | 74 Woolwich Street | Guelph ON N1H 3T9
T 519.837.2600 | F 519.823.1694

This means that a wedge of the rear portion of the severed parcel is Prime Agricultural. This is problematic in our consideration of the lot boundary as it should follow the urban centre boundary. We note, however that a logical lot boundary has been proposed which follows a row of trees and would allow for the existing drive shed and barn to be retained. The buildings are old but appear to be in fair condition. Section 14.2 of the Plan provides for flexibility to allow for minor deviations from mapping provided that the intent of the Plan and sound community planning principles are followed. Staff is of the opinion that flexibility is reasonable in this instance.

According to Section 8.10.3 for Future Development lands "consideration may be given to the creation of a new lot by consent provided such development is in accordance with the policies of this Plan." New lots may be created in Urban Centres provided that the land will be appropriately zoned.

The matters under Section 10.1.3 were also considered including a) "that any new lots will be consistent with official plan policies and zoning regulations", b) "that all lots can be adequately serviced with water, sewage disposal.....to accepted municipal standards" and d) "that all lots will have safe driveway access to an all-season maintained public road...".

LOCAL ZONING BY-LAW: The subject property is zoned Future Development (FD) and Agricultural Site Specific (A.31.44). The severed lot would meet the applicable minimum lot area and frontage requirements. At 32 ha (79 ac) the retained parcel would be undersized, however Section 8.2.1b) provides for a reduced lot area for new lots created by consent.

The majority of the severed parcel is zoned Future Development (FD), but the rear ±22.2 m (72.8 ft) is zoned A.31.44. A portion of the severed parcel will need to be rezoned consistent with the balance of the FD Zone. There is a dwelling, barn and driveshed on the severed parcel. One single detached dwelling is permitted in the FD Zone. The existing agricultural buildings are permitted under the FD Zone, but no new buildings, structures or expansions to existing uses, building or structures would be permitted.

SITE VISIT INFORMATION: The subject property was visited and photographed on July 22, 2015. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Sarah Wilhelm, MCIP, RPP, Senior Planner
July 30, 2015

400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6
Phone: 519.621.2763 Toll free: 866.900.4722 Fax: 519.621.4844 Online: www.grandriver.ca

RECEIVED
AUG 18 2015
SECRETARY-TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

PLAN REVIEW REPORT TO:	County of Wellington, Planning & Land Division Committee Deborah Turchet, Secretary-Treasurer

DATE: August 17, 2015 **YOUR FILE:** B55/15
GRCA FILE: Mapleton/2015/Sev/C

RE: **Application for Consent B55/15**
Part Lots 18 & 19, Concession 11, Maryborough
Martin

GRCA COMMENT:*

The Grand River Conservation Authority (GRCA) has no objection to the proposed severance.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the lands to be severed are not in or adjacent to any features of interest to the Grand River Conservation Authority. The proposed retained parcel appears to contain a watercourse that is not near the proposed severed parcel.

2. **Legislative/Policy Requirements and Implications:**

   None.

3. **Additional Information/Suggestions provided in an advisory capacity:**

   We wish to acknowledge receipt of the applicable plan review fee in the amount of $380.00 for the processing of this application.

Should you have any questions or require further information, please contact me at 519-621-2763 ext. 2320.

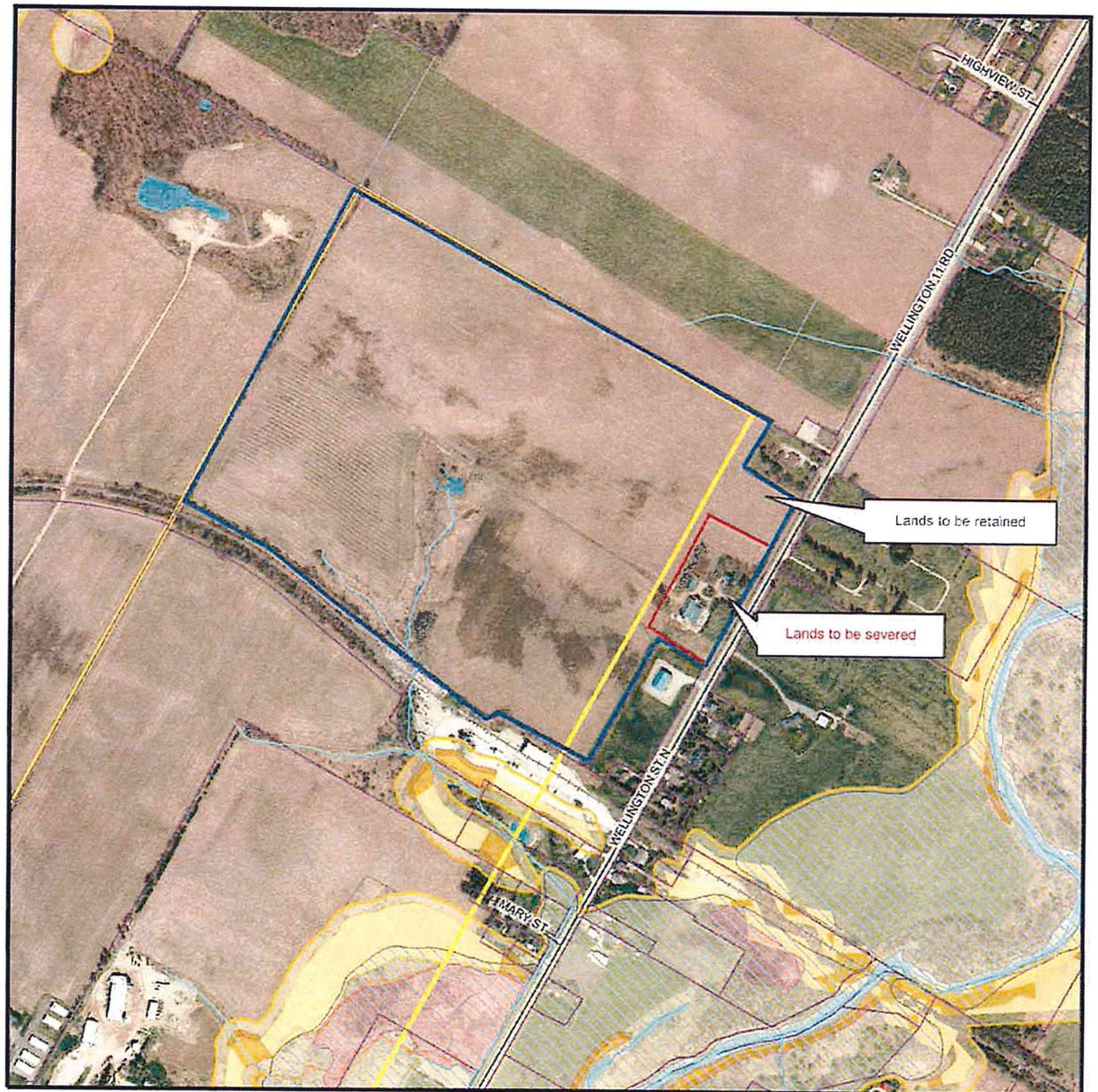
Yours truly,

Jason Wagler, MCIP, RPP
Resource Planner
Grand River Conservation Authority

* ***These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.***

Encl. (1)

cc. Township of Mapleton
Kenneth and Rosemary Martiin



Copyright © Grand River Conservation Authority, 2015

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Grand River Conservation Authority
Map created: August 17, 2015

B55/15

LEGEND

- WATERSHED BOUNDARY (GRCA)
- UTILITY LINE (NRVIS)
- ROADS-ADDRESSED (MNR)
- RAILWAY (NRVIS)
- WATERCOURSE - DRAFT (GRCA)
- DRAINAGE-NETWORK (GRCA)
- PARCELS-ASSESSMENT (MPAC)
- LOTS (NRVIS)
- FLOODPLAIN (GRCA)
  - ENGINEERED
  - APPROXIMATE
  - ESTIMATED
- WETLAND (GRCA)
- SLOPE VALLEY (GRCA)
  - STEEP
  - OVERSTEEP
- SLOPE EROSION (GRCA)
  - STEEP
  - OVERSTEEP
  - TOE
- WETLAND (NRVIS)
  - PROVINCIALLY SIGNIFICANT
  - LOCALLY SIGNIFICANT
  - UNEVALUATED
- PARKS (GRCA)
- REGULATION LIMIT 2014 (GRCA)
- WATERBODY - DRAFT (GRCA)
- DRAINAGE-POLY (NRVIS)
- 2010 ORTHO (ONT)

GRCA Disclaimer

This map is for illustrative purposes only. Information contained hereon is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.

The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to:

http://grims.grandriver.ca/docs/SourcesCitations1.htm

0 85 170 255 340 m

NAD 1983, UTM Zone 17 Scale: 1:7,500

N

The County of Wellington
Planning Dept.

JUL 27 2015

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street, Guelph ON N1H 3T9

July 10, 2015

NOTICE OF AN APPLICATION FOR CONSENT

Ontario Planning Act, Section 53(4)

The County of Wellington Planning and Land Division Committee requests your written comments on this application for consent.

APPLICATION SUBMITTED ON: June 23, 2015

FILE NO. B55/15

APPLICANT

Kenneth & Rosemary Martin
7288 Wellington Rd 11
Drayton ON N0G 1P0

LOCATION OF SUBJECT LANDS:

TOWNSHIP OF MAPLETON (Drayton)
Pt Lts 18 & 19, Conc 11, Maryborough
Part Lot 383, Bolton's Survey, Drayton

Proposed severance is 170.49m fr x 86m = 1.46 hectares (Parcel A on sketch) existing residential and agricultural for proposed residential use with existing house, barn, shed and silos.

Retained parcel is 32 hectares with 100.82m frontage (Parcel B on sketch) existing and proposed agricultural use.

IF YOU WISH TO SUBMIT COMMENTS ON THIS APPLICATION, WE MUST HAVE YOUR WRITTEN COMMENTS BEFORE

August 19, 2015

Please note that if the Comments are not received by the requested date, the Planning and Land Division Committee may proceed to consider the application, and may assume that you have no objection to this APPLICATION for CONSENT.

Please also be advised that if a person or public body that files an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Ontario Municipal Board may dismiss the appeal.

If you wish to be **NOTIFIED OF THE DATE AND TIME OF THE CONSIDERATION** of this application - **please make your request in writing** to the Planning and Land Division Committee before the "Comments Return Date" noted above.

If you wish to be **NOTIFIED OF THE DECISION** of the County of Wellington Planning and Land Division Committee in respect of this proposed consent, **you must make a request in writing** to the County of Wellington Planning and Land Division Committee. This will also entitle you to be advised of a possible Ontario Municipal Board Hearing. Even if you are the successful party, you should request a copy of the decision since the County of Wellington Planning and Land Division Committee's decision may be appealed to the Ontario Municipal Board by the applicant or another member of the Public

INFORMATION REGARDING THE APPLICATION is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office- 74 Woolwich St. Guelph ON N1H 3T9. Phone: (519) 837-2600 x2170 Fax: (519) [illegible]

COUNTY OF WELLINGTON
ENGINEERING SERVICES
NO OBJECTION
NOTICE OF DECISION REQ'D.
PASQUALE COSTANZO, CET
ENGINEERING TECHNOLOGIST
JUL 24 2015
Date:

MAILED TO:

Local Municipality - Mapleton County Planning Conservation Authority - GRCA

County Engineering

Bell Canada County Clerk Roads

Neighbour - as per list verified by local municipality and filed by applicant with this application

ENTRANCE CON'D NOT REQ.